

REMARKS

Reconsideration of this application is respectfully requested. Claim 1 has been amended. This amendment is supported by the specification as filed, for example in paragraphs 0047, 0049, 0291-0310, Appendix B, and Figures 4A-4OO. Accordingly, no new matter is added.

Pending application 10/390,064 has been amended, therefore the double patenting objection is moot.

All of the presently pending claims are patentable over Rowe (U.S. Patent. 7,207,057). Rowe describes a system where web-based interfaces are provided over legacy television programming functionality such that contributors can access any functionality required to create and distribute television programming. Rowe Abstract. However, Rowe neither teaches nor suggests a system where content developers can author and create interactive television (iTV) applications, in which there is a separation of application behavior from content and business rules, according to an authoring specification that describes a framework for the iTV applications, as presently claimed. Rowe also does not teach or suggest an operator-deployed application management system configured to optimize the iTV applications, as presently claimed. Instead, Rowe discusses a procedure for accepting and distributing interactive products that have already been created (e.g., by contributors such as OpenTV and Liberate). Rowe at col. 7 ll. 15-21, col. 8 ll. 3-17, 22-27, col. 8 l. 64 - col. 9 l. 2. This should not be confused with a system that actually allows content developers to author and create iTV applications.

Notwithstanding the comments in the Office Action, a network operations center, as described by Rowe, which controls creation, management, and distribution of object-oriented television programming (Rowe at col. 4 ll. 8-21) should not be confused with an operator-deployed application management system configured to optimize the iTV applications. Nowhere does Rowe provide, at least, for optimization of iTV applications as well as facilities

for content developers to author and create iTV applications. Hence, all the present claims are patentable over Rowe.

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Respectfully submitted,

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